

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RONALD ROLLINGS,

Plaintiff,

v.

P.A. THOMPSON, *et al*,

Defendants.

Case No. C06-5574 FDB

RONALD ROLLINGS,

Plaintiff,

v.

GREGOIRE, *et al*,

Defendants.

Case No. C06-5047 FDB

RONALD ROLLINGS,

Plaintiff,

v.

STATE OF WASHINGTON, *et al*,

Defendants.

Case No. C00-5183 FDB

ORDER DENYING MOTIONS TO
MODIFY AND/OR TERMINATE
LEGAL FINANCIAL
OBLIGATIONS

1 This matter comes before this Court on multiple motions of Plaintiff Ronald Rollings to
2 modify and/or terminate legal financial obligations incurred in the filing of the above referenced
3 prisoner civil rights actions. In each action Plaintiff Rollings was granted the right to proceed *in*
4 *forma pauperis*. Each respective order granting Plaintiff *in forma pauperis* status indicated that the
5 Plaintiff is required to make monthly payments until the entire filing fee has been paid.

6 This Court is without authority to waive the payment obligations of Plaintiff. The Prison
7 Litigation Reform Act of 1995 ("PLRA"), 28 U.S.C. § 1915, requires that prisoners who bring civil
8 actions or appeals from civil actions must "pay the full amount of a filing fee." 28 U.S.C. §
9 1915(b)(1). Prisoners who are unable to pay the full amount of the filing fee at the time that their
10 actions or appeals are filed are generally required to pay part of the fee and then to pay the remainder
11 of the fee in installments. 28 U.S.C. § 1915(b). A court may authorize a petitioner to prosecute an
12 action in federal court without prepayment of fees or security if the petitioner submits an affidavit
13 showing he or she is unable to pay such fees or give security therefor. 28 U.S.C. § 1915(a). The
14 affidavit must include a statement of all assets such prisoner possesses and that the person is unable
15 to pay such fees or give security therefor. Such affidavit shall state the nature of the action, defense
16 or appeal and affiant's belief that the person is entitled to redress. 28 U.S.C. § 1915(a)(1).
17 However, prisoners granted leave to proceed *in forma pauperis* remain obligated to pay the entire
18 fee in installments, regardless of whether their action is ultimately dismissed. See 28 U.S.C. §
19 1915(b)(1) & (2); Taylor v. Delatoore, 281 F.3d 844, 847 (9th Cir. 2002). The institution having
20 custody of the prisoner must collect subsequent payments, assessed at 20% of the preceding month's
21 income, in any month in which his account exceeds \$10, and forward those payments to the Court
22 until the entire filing fee is paid. See 28 U.S.C. § 1915(b)(2); Taylor, at 847.


23 Plaintiff is required to pay the full amount of the filing fees mandated by 28 U.S.C. §
24 1915(b)(1) by subjecting any future funds credited to his prison trust account to the installment
25 payment provisions set forth in 28 U.S.C. § 1915(b)(2).

1 ACCORDINGLY;

2 IT IS ORDERED:

3 Plaintiff's Motions to Modify and/or Terminate Legal Financial Obligations [C06-5574 FDB,
4 Dkt. #14], [C06-5047 FDB, Dkt. #11], and [C00-5183 FDB, Dkt. #12] are **DENIED**.

5 DATED this 10th day of October, 2007.

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9 FRANKLIN D. BURGESS
10 UNITED STATES DISTRICT JUDGE
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